

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

SOPHIA QUILL,

Petitioner,

v.

STATE OF CALIFORNIA, et al.,

Respondents.

No. 2:21-CV-1044-WBS-DMC-P

**FINDINGS AND RECOMMENDATIONS**

Petitioner, a federal prisoner proceeding pro se, brings this petition for a writ of habeas corpus under 28 U.S.C. § 2241. Pending before the Court is Respondent's motion to dismiss, ECF No. 16. Petitioner has not filed an opposition.

In their motion, Respondents argue that the Court should abstain from exercising jurisdiction over this case pursuant to Younger v. Harris, 401 U.S. 37 (1971), because Petitioner challenges criminal proceedings which are ongoing in state court. See ECF No. 16. After the time to respond to Respondents' motion expired, the Court issued a minute order advising Petitioner that the failure to oppose Respondents' motion could be construed as consent to the relief requested. See ECF No. 20. The minute order provided Petitioner an additional 30 days within which to oppose Respondents' motion. See id. To date, Petitioner has not filed an opposition. The Court construes Petitioner's failure to file an opposition as consent to the relief requested by Respondents. See Local Rule 230(c), (l).

1 Based on the foregoing, the undersigned recommends that Respondents'  
2 unopposed motion to dismiss, ECF No. 16, be granted.

3 These findings and recommendations are submitted to the United States District  
4 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within 14 days  
5 after being served with these findings and recommendations, any party may file written objections  
6 with the Court. Responses to objections shall be filed within 14 days after service of objections.  
7 Failure to file objections within the specified time may waive the right to appeal. See Martinez v.  
8 Ylst, 951 F.2d 1153 (9th Cir. 1991).

9  
10 Dated: August 16, 2022



DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE